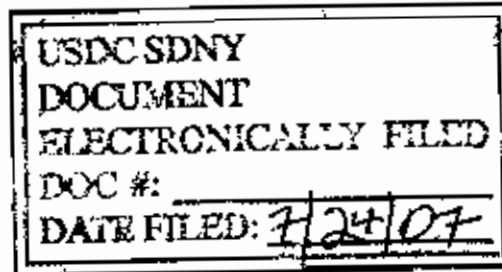


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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Eduji BHARUCHA,

A78-229-257,

Plaintiff-Petitioner,

-against-

Alberto R. GONZALES, Attorney General;
DEPARTMENT OF HOMELAND SECURITY;
Michael CHERTOFF, Secretary, Department of
Homeland Security; UNITED STATES
CITIZENSHIP AND IMMIGRATION
SERVICES; Dr. Emilio T. GONZALEZ, Director,
United States Citizenship and Immigration
Services; Andrea QUARANTILLO, District
Director, New York District Office, United States
Citizenship and Immigration Services, Federal
Bureau of Investigations ("FBI"); Central
Intelligence Agency ("CIA");

Defendants-Respondents.

ECF Case

07 Civ. 5616 (NRB)

CONSENT NOTICE OF
VOLUNTARY DISMISSAL

WHEREAS, on or about June 13, 2007, Plaintiff-Petitioner Eduji Bharucha ("Plaintiff") filed a Complaint and Petition for Writ of Mandamus (the "Petition") in the above-captioned action against Alberto R. Gonzales, Attorney General; the Department of Homeland Security; Michael Chertoff, Secretary, Department of Homeland Security; United States Citizenship and Immigration Services ("USCIS"); Dr. Emilio T. Gonzalez, Director USCIS; Andrea Quarantillo, District Director, New

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US ATTORNEY

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York District Office, USCIS; the Federal Bureau of Investigation; and the Central Intelligence Agency (collectively, "Defendants"), seeking, inter alia, a "declar[ation] that [Plaintiff] is entitled to be naturalized";

WHEREAS, on July 23, 2007, USCIS adjudicated Plaintiff's naturalization application and notified him to appear for a Naturalization Oath Ceremony on Friday, August 17, 2007, at the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007, in Room 160, at 9:00 in the morning;

WHEREAS, in light of the foregoing, Plaintiff's Petition is now moot;

WHEREAS, Rule 41(a)(1) of the Federal Rules of Civil Procedure provides that "an action may be dismissed by the plaintiff without order of court (i) by filing a notice of dismissal at any time before service by the adverse party of an answer or a motion for summary judgment, whichever first occurs, or (ii) by filing a stipulation of dismissal signed by all parties who have appeared in the action," Fed. R. Civ. P. 41(a)(1); and

WHEREAS, no answer or other response is due from Defendants in this action until August 13, 2007;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among Plaintiff and Defendants, by their respective counsel, as follows:

1. The Petition is hereby voluntarily dismissed, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, without costs or attorney's fees to any party; and
2. The parties understand and agree that this stipulation contains the entire agreement between them, and that no statements, representations, promises, agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall be of any force or effect.

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US ATTORNEY

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Dated: Melville, New York
July ~~23~~ 24, 2007.

DIRAIMONDO & MASI, LLP
401 Broadhollow Road
Melville, New York 11747
ATTORNEY FOR PLAINTIFF

By:



Dated: New York, New York
July ~~23~~ 23, 2007

MICHAEL J. GARCIA
United States Attorney for the Southern
District of New York
ATTORNEY FOR DEFENDANTS

By:



BRIAN M. FELDMAN
Assistant United States Attorney

So Ordered.

Kenneth Lee Sullivan, USDC

July 24, 2007